

# OPEN RECORDS POLICY and PROCEDURES

## I. CONTACT INFORMATION

### **Open Records Officer**

William J. Martin  
100 Conway Avenue  
Narberth, PA 19072  
610-664-2840  
610-664-0803 (fax)  
E-mail: [Narberth@comcast.net](mailto:Narberth@comcast.net)

### **Appeals Officer**

Office of Open Records  
Commonwealth Keystone Building  
400 North Street, 4th Floor  
Harrisburg, PA 17120-0225  
Fax: (717) 425-5343  
E-mail: [openrecords@pa.gov](mailto:openrecords@pa.gov)

## II. REQUEST FORM

Fill out and submit the form found on the Borough's website.

## III. REQUESTS

Requests shall be in writing using the Borough form provided above or the Pennsylvania form and submitted to the Open Records Officer. Requests shall identify or describe the records sought with sufficient specificity to enable Borough of Narberth to ascertain which records are being requested. Requests may be submitted in person, by e-mail, facsimile, or U.S. mail.

## IV. FEES

Fees associated with the processing of requests are set by the Pennsylvania Office of Open Records. All fees must be paid before access to the records is granted. The Borough of Narberth's fee for copying is 25¢ per single page.

## V. RESPONSE

Borough of Narberth will make a good faith effort to provide the requested records as promptly as possible under the circumstances. As soon as possible, but no later than five (5) business days after actual receipt of a request, the Open Records Officer will respond to the request in a manner consistent with the Pennsylvania Right-to-Know Law. In the event that Borough of Narberth fails to timely respond, the request shall be deemed denied.

The Open Records Officer shall, upon receipt of a request, determine if one of the following applies:

- (1) The request for access requires redaction of a record in accordance with section 706;
- (2) The request for access requires the retrieval of a record stored in a remote location;
- (3) A timely response to the request for access cannot be accomplished due to bona fide and specified staffing limitations;
- (4) A legal review is necessary to determine whether the record is a record subject to access under this act;
- (5) The requester has not complied with the agency's policies regarding access to records;
- (6) The requester refuses to pay applicable fees authorized by this act; or
- (7) The extent or nature of the request precludes a response within the required time period.

If one of these enumerated circumstance applies, the Open Records Officer will send written notice to the requester within five (5) business days of receipt of the request indicating that (a) the request is being reviewed; and (b) the reason for the review. A response shall be given within thirty (30) days from the date of mailing of the notice. In the event that the Borough of Narberth fails to timely respond, the request shall be deemed denied unless the requester agrees in writing to an extension.

## **VI. DENIAL**

If the Borough of Narberth denies the request, whether in whole or in part, the denial shall be issued in writing and shall include:

- (1) A description of the record requested.
- (2) The specific reasons for the denial, including a citation of supporting legal authority.
- (3) The typed or printed name, title, business address, business telephone number and signature of the open-records officer on whose authority the denial is issued.
- (4) Date of the response.
- (5) The procedure to appeal the denial of access.

## **VII. APPEALS PROCESS**

If a written request is denied or deemed denied, the requester may file an appeal with the Pennsylvania Office of Open Records within fifteen (15) business days of the mailing date of the Borough of Narberth's denial or deemed denial. The appeal shall state the grounds upon which the requester asserts that the record is a public record or financial record and shall address any grounds stated by the agency for delaying or denying the request.

Within thirty (30) days of the mailing date of the final determination of the Office of Open Records, a requester or the Borough of Narberth may file a petition for review or other document as required by the rules of court with the Court of Common Pleas of Montgomery County.